

REMARKS

In the present application, claims 1-20 were presented for examination. Applicant has amended claims 1 and 9-11 and cancelled claims 2-4, 6-8 and 12-20 herein. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Support for the claim amendments is found in the specification, figures, and originally filed claims. Accordingly, applicant submits that no new matter has been introduced by the claim amendments.

Claims 2-4, 6-8 and 12-20 have been cancelled herein. Accordingly, the rejections to claims 2-4, 6-8 and 12-20 are now moot.

Claims 1-4, 6, 8, 11-15 and 18-20 were rejected under 35 U.S.C. 102(e) based on Lambert et al. (U.S. Patent No. 6,828,560).

Referring to independent claim 1, as amended, the claim recites in part:

a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber.

Referring to Lambert et al., the reference is directed to an integrated light concentrator. The reference, however, does not provide any teaching of: "a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber", as recited in claim 1 as amended.

Accordingly, because Lambert et al. does not teach each and every element of independent claim 1, and claim 11 which depends from claim 1, applicant submits that claims 1 and 11 are allowable over this reference.

Claims 1-9, 11-16 and 18-20 were rejected under 35 U.S.C. 102(e) based on Wilner et al. (U.S. Patent Publication No. 2002/0139410).

Referring to Wilner et al., the reference is directed to a thermal radiation sensor. The reference, however, does not provide any teaching of: "a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber", as recited in claim 1 as amended.

Accordingly, because Wilner et al. does not teach each and every element of independent claim 1, and claims 9 and 11 which depend from claim 1, applicant submits that claims 1, 9 and 11 are allowable over this reference.

Claim 5 was rejected under 35 U.S.C. 103(a) based on Lambert et al. in view of Watanabe et al. (U.S. Patent No. 5,056,929). Claim 5 depends from independent claim 1 and therefore incorporates all of the limitations of claim 1.

Referring to Lambert et al. and Watanabe et al., the references alone or in combination do not provide any teaching of: "a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber", as recited in claim 1 as amended and claim 5.

Accordingly, because the combination of Lambert et al. and Watanabe et al. does not teach each and every element of independent claim 1, and claim 5 which depends from claim 1, applicant submits that claim 5 is allowable over these references.

Claims 9, 10, 16 and 17 were rejected under 35 U.S.C. 103(a) based on Lambert et al. Claims 9 and 10 depend from independent claim 1 and therefore incorporate all of the limitations of claim 1.

Referring to Lambert et al., the reference is directed to an integrated light concentrator. The reference, however, does not provide any teaching of: "a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber", as recited in claim 1 as amended, and claims 9 and 10.

Accordingly, because Lambert et al. does not teach each and every element of independent claim 1, and claims 9 and 10 which depend from claim 1, applicant submits that claims 9 and 10 are allowable over this reference.

Claims 10 and 17 were rejected under 35 U.S.C. 103(a) based on Wilner et al. Claim 10 depends from independent claim 1 and therefore incorporates all of the limitations of claim 1.


Referring to Wilner et al., the reference does not provide any teaching of: "a metal base header supporting the support rim, the metal base header having a second cavity therein communicating with the first cavity, the second cavity having a second predetermined maximum width at least as large as the first predetermined maximum width, wherein the first and second thermocouples generate a voltage across the first and second terminals that is indicative of an amount of thermal radiation absorbed at the thermal absorber", as recited in claim 1 as amended, and claim 10.

Accordingly, because Wilner et al. does not teach each and every element of independent claim 1, and claim 10 which depends from claim 1, applicant submits that claim 10 is allowable over this reference.

In view of the foregoing remarks, applicant respectfully submits that the instant application is in condition for allowance. Such action is most earnestly solicited. If for any reason the Examiner feels that consultation with applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below for an interview.

If there are any charges due with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,
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